



STATE OF WASHINGTON
**SEASONAL CHANGE
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards

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RECEIVED

APR 15 2013

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

A MINIMUM FEE OF \$10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☐ Change point(s) of diversion/withdrawal
- ☐ Add point(s) of diversion/withdrawal
- ☒ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain:

FOR OFFICE USE ONLY

CHANGE NO. WAL-13-04 WRIA 32

DATE ACCEPTED 4/3/13 BY AL

FEE\$ 500.00 REC'D 4/3/13

CHECK No. 3015

SEPA: ☒ Exempt () Not exempt

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)**

1. Applicant Information:

APPLICANT/BUSINESS NAME Scott Byerley	PHONE NO. 509. 520. 2895	FAX NO. 509 529 4354
ADDRESS 501 W. Langdon Rd.		
CITY Walla Walla	STATE WA	ZIP CODE 99362

CONTACT NAME (IF DIFFERENT FROM ABOVE) SAME	PHONE NO.	FAX NO.
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER SW 833 (A)	RECORDED NAME(S) Alfalfa LLC, Bye Far Golf LLC
DO YOU OWN THE RIGHT TO BE CHANGED? (x) YES () NO IF NO, PROVIDE OWNER(S) NAME:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? (x) YES () NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY

APP. NO. _____ PERMIT NO. _____ CERT. NO. WWAC 833(A) CERT. OF CHANGE NO. _____

(A)
CS3-#28833J(2)1

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Point(s) of Diversion/Withdrawal – (x) Existing () Proposed:

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Walla Walla River				36	7	34		
1. 1640' South and 990' East from NW corner of Sec. 36		S ½	NW					
2. 1680' South and 1440' East from NW corner of Sec. 36		S ½	NW					
DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? (x) YES () NO - IF NO, PROVIDE OWNER(S) NAME: Frenchtown owns #1 POD. Byerley has easement for #1. Kelly Allen owns #2.								

Purpose(s) of Use - (x) Existing () Proposed:

PURPOSE OF USE	GPMorCFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 21.25 acres	.425 CFS	106.25 yearly	October 1 to April 1
	.283		April 1 to July 1
	.2125		July 1 to October 1

Place of Use – (x) Existing () Proposed:

LEGAL DESCRIPTION OF LANDS							
See attached certificate 833(A) recorded 12/22/2011 Walla Walla County							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		25,36	7	34	Walla Walla		21.25
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? () YES (X) NO - IF NO, PROVIDE OWNER(S) NAME: Byerley, Frenchtown							

If you require this document in an alternate format, please contact the Water Resources Program at (360 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

Point(s) of Diversion/Withdrawal – () Existing (x) Proposed:

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Walla Walla River 1640' South and 990' East from NW corner of Sec. 36		S ½	NW	36	7	34	340736-510053	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? () YES (X) NO - IF NO, PROVIDE OWNER(S) NAME: Frenchtown owns #1 POW. Byerley has easement for #1.

Purpose(s) of Use - () Existing (x) Proposed:

PURPOSE OF USE	GPMorCFS	ACRE-FT/YR	PERIOD OF USE
Unchanged portion-Irrigation of 1.25 acres	.025 CFS	6.25/year	October 1 to April 1
	.017		April 1 to July 1
	.0125		July 1 to October 1
Portion being transferred-irrigation of 20 acres	.4	100/year	October 1 to April 1
	.266		April 1 to July 1
	.2		July 1 to October 1

Place of Use – () Existing (x) Proposed:

LEGAL DESCRIPTION OF LANDS							
1.25 acres will remain at the existing place of use excepting Parcel C. 20 acres will be transferred to the golf course- parcel # 340725-110006. See attached legal for golf parcel. West 20 acres of the N1/2 SE1/4 Sec. 24 T7 R34EWM. Parcel #s 340725-110007, 340724-410001, 340736-510082, 340736-510083, 340736-510084, 340736-510077, 340736-510076, 340736-510071, 340736-510070							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		24,25,36	7	34EWM	Walla Walla		21.25

DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? () YES (X) NO - IF NO, PROVIDE OWNER(S) NAME: J and J Golf LLC and Byerley

If you require this document in an alternate format, please contact the Water Resources Program at (360 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
(x) YES () NO- IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):
Surface 630(A), S3-29174C, 6914-A(A), and Ground 284 – A(A)

6. Remarks and Other Relevant Information:

Byerley is transferring 20 acres of this right to irrigate the golf course or up to 20 acres in sec. 24 and the certificate should be issued to J&J Golf, LLC. 60 acres of 630(A) is also being transferred to the golf course and Sec. 24. 284-A(A) is supplemental to 833(A) and 630(A) and a portion is following them to the new POU.
1.25 acres of 833(A) and 3.75 acres of 630(A) will remain at the existing place of use excluding Parcel C and the certificate should be issued to Alfalfa, LLC.

G3-23614(C) can also be used to irrigate the golf course.

The golf course can also be irrigated using that portion of 2917-A(C) that is not needed for housing or winery purposes. This allows 20 acres of this right to continue to be used for ag irrigation until such time that it is needed for irrigation of the golf course. As housing demand for water under 2917-A(C) increases fewer ag acres will be irrigated under 630, 833, and G3-23614(C).

The POU for the 20 acre portion will be approximately 255 acres but will be used to irrigate a total of 20 acres in any given year. The POU for the 1.25 acre portion will be approximately 45 acres but will be used to irrigate a total of 1.25 acres in any given year.

S3-29174C already covers the golf parcel.

6914-A(A) remains at the existing place of use.

Frenchtown has acquired Parcel C of the existing POU with Byerley retaining the water rights, therefore Parcel C is being excluded from the proposed POU.

IF FOR SEASONAL OR TEMPORARY, START DATE ____ / ____ / ____ END DATE ____ / ____ / ____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the Depart of Revenue for further information. The phone number is (360) 570-3265. The address is Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site (s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

<u>Scott Byerley</u> (Applicant)	<u>4, 2, 13</u> (Date)
<u>Scott Byerley</u> (Water Right Holder)	<u>4, 2, 13</u> (Date)
<u>Scott Byerley</u> (Land Owner(s) of Existing Place of Use)	<u>4, 2, 13</u> (Date)
<u>Frenchtown Historical Foundation</u> Secretary	<u>4-2-13</u>

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

() APPLICATION FEE NOT ENCLOSED () MAP NOT INCLUDED or INCOMPLETE

() ADDITIONAL SIGNATURES REQUIRED () SECTION _____ IS INCOMPLETE

() OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____ / ____ / ____